

### **REMARKS**

The Official Action mailed April 1, 2009, has been received and its contents carefully noted. Filed concurrently herewith is a *Request for One Month Extension of Time*, which extends the shortened statutory period for response to August 1, 2009. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on June 9, 2006; and September 18, 2006.

Claims 1-9 were pending in the present application prior to the above amendment. Claims 3, 5 and 7 have been canceled without prejudice or disclaimer. Accordingly, claims 1, 2, 4, 6, 8 and 9 are now pending in the present application, of which claims 1, 4, 6, 8 and 9 are independent. Claims 1, 4, 6, 8 and 9 have been amended to better recite the features of the present invention. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action continues to object to the title as not descriptive. The Applicant notes that the objection to the title does not specifically explain why the title, "ROAMING SYSTEM, MOBILE COMMUNICATION SYSTEM, AND MOBILE COMMUNICATION CONTROL METHOD," is not descriptive. Also, the Official Action states the following: "See response to arguments section" (page 2, Paper No. 20090327). However, no further comments regarding the title are provided in the Official Action. In any event, it is noted that claims 1-3 recite a "roaming system," claims 4-7 recite a "mobile communication system," and claim 8 recites a "mobile communication control method." Therefore, the present title is consistent with the present claims and is believed to be descriptive of the present invention. If the present title is not sufficiently descriptive, then the Applicant respectfully requests that the Examiner further clarify why the title is not descriptive or, if possible, suggest a title believed to be sufficiently descriptive. Reconsideration of the objection is requested.

The Official Action rejects claim 9 under 35 U.S.C. § 101 asserting that “it discloses ‘A computer program’ which is currently held to be non-statutory subject matter” and stating that “[s]ubject matter as ‘computer program having instruction stored on a computer readable medium’ may be applied” (page 2, Paper No. 20090327). The Official Action appears to be concerned with the recitation of “[a] computer program ...” in claim 9. In response, claim 9 has been amended to recite “A computer readable medium which stores a computer program.” It has been long held that a program stored on a computer readable medium is statutory subject matter, particularly [when the claim recites a function, and] when the claimed invention produces a useful, tangible, and concrete result (see MPEP §§ 2106, 2106.01). The Applicant respectfully submits that the invention described in claim 9 produces a useful, tangible, and concrete result, as described in detail in the present specification. Therefore, claim 9 is directed to statutory subject matter. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 101 are in order and respectfully requested.

Paragraph 2 of the Official Action rejects claims 1-9 as anticipated by U.S. Patent No. 5,550,896 to Chavez. The Applicant respectfully traverses the rejection because the Official Action has not established an anticipation rejection.

As stated in MPEP § 2131, to establish an anticipation rejection, each and every element as set forth in the claim must be described either expressly or inherently in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

The Applicant respectfully submits that an anticipation rejection cannot be maintained against the independent claims of the present application. Specifically, independent claims 1, 4 and 6 have been amended to recite the limitations previously recited in dependent claims 3, 5 and 7, respectively, and independent claims 8 and 9 have been amended to recite feature that are substantially identical with amended apparatus claim 6. Specifically, claim 1 has been amended to recite where the server operates to prohibit provision of the service to the confirmed wireless terminal if the

query is received from the controller in a particular zone; claim 4 has been amended to recite where each directory server comprises reference information storage means that stores address information on another directory server located above or below in the directory information tree; and the search request redirection means operates to refer to the address information stored in the reference information storage means and to redirect the search request to the other directory server located above or below in the directory information tree; claim 6 has been amended to recite where each server apparatus comprises reference information storage means that stores address information on another server apparatus located above or below in the directory information tree; and where the search request transmission means operates to refer to the address information stored in the reference information storage means and to transmit the search request to the other server apparatus located above or below in the directory information tree; and claims 8 and 9 have been amended to recite where each server apparatus comprises reference information storage unit that stores address information on another server apparatus located above or below in the directory information tree, and where the search request transmission step performs an operation of referring to the address information stored in the reference information storage unit and to transmit the search request to the other server apparatus located above or below in the directory information tree.

In light of the amendments, the rejections set forth at paragraphs 3, 4, 6 and 8 (regarding the previous version of claims 1, 2, 4, 6, 8 and 9) are now moot.

As clearly recited, for example, in independent claim 1, the present invention is a roaming system comprising a plurality of controllers provided for each of zones in a wireless network and a server connected to each of the controllers. The present invention's roaming system is unique in that the server is adapted to maintain information indicating which controller in which zone stores the identification information on the wireless terminals. In the present invention's roaming system, identification

information given to each of a plurality of wireless terminals in the wireless network is registered in a controller in its home zone to which the each wireless terminal belongs.

The present invention's roaming system having the above technical features brings the specific technical advantage as described, for example, at page 17, lines 7-16 in the present specification:

(a) No extra system resource is required because each site has no identification information on the wireless terminals registered with other sites.

(b) The portion assigned to the wireless terminals is not reduced because the identification information requires no site indication data.

(c) Each site or each controller does not need to set a new roaming procedure.

In the present invention's roaming system which comprises a plurality of controllers disposed in respective zones and a sever connected to the controllers, each of the controllers operates to search from its own storage means identification information of a wireless terminal requesting a service to that controller, and if the identification information of the wireless terminal is not found out in the storage means of the controller, then the following severs of operations is performed:

(i) the controller which has not be able to find out the identification information issues a query to the server;

(ii) the server receiving the query detects which controller stores the identification information of the interested wireless terminal;

(iii) the server communicates with the detected controller to confirm the presence of the identification information of the interested wireless terminal; and

(iv) the server instructs the controller having issued the query to provide the service to the interested wireless terminal, and according to circumstances (if the query is received from a controller in a particular zone) the server operates to prohibit provision of the service to the interested wireless terminal.

Regarding the rejections set forth at paragraphs 5, 7 and 9 (regarding the previous version of claims 3, 5 and 7, respectively), the Applicant respectfully submits that Chavez does not teach the above-referenced features of the present invention, either explicitly or inherently.

Paragraph 5 does not contain any references to the prior art or establish the level of ordinary skill in the art at the time of the present invention to support the assertions that Chavez teaches the features of the previous version of claim 3, now recited in claim 1.

Paragraphs 7 and 9 assert that claim 7, column 22, lines 9-19, and column 21, lines 53-59 of Chavez support the assertion that Chavez teaches the features of claims 5 and 7, now recited in claims 4, 6, 8 and 9, either explicitly or inherently (pages 6-8, Paper No. 20090327). The Applicant respectfully disagrees and traverses the assertions in the Official Action.

Chavez relates to a personal communication system (PCS), which comprises a plurality of switching nodes and a network management system. The system of Chavez involves a mobile communication system. One might argue that the following features of Chavez (left-hand column) correspond to the features of the present invention (right-hand column), as follows:

<b>Chavez</b>	<b>Present Invention</b>
a network management system	a server
switching nodes	Zones
PCS telephones	wireless terminal
authentication information	identification information

However, the present invention's system is distinguished from the system of Chavez, in at least the following points:

(i) The system has a plurality of controllers for providing service to the wireless terminals, each of which resides in its corresponding zone.

(ii) The server ascertains which controller stores identification information of a wireless terminal for a controller which was not able to confirm the presence of the identification information.

(iii) The server communicates with the ascertained controller which stores the interested identification information to instruct it to provide the desired service to the wireless terminal.

In fact, in Chavez, the network management system (potentially and allegedly corresponding to the "server" in the present invention) does not perform the operations as made in the present invention's system for the processing of the authentication information (corresponding to the "identification information" in the present invention). For example, in Chavez, the authentication information is transmitted from one switching node 101 having such information to another switching node 104 not having such information, but Chavez does not teach, either explicitly or inherently, that the network management system communicates with a specific switching node to instruct the specific switching node to provide any service to any PCS telephone, which is clear from the following descriptions at column 15, lines 13-29, in Chavez:

If PCS telephone 168 places a call while registered on switching node 110 with mobility table 706 containing the information illustrated in FIG. 15, the mobility management application of switching node 110 has to request the authentication information from switching node 104. Since the authentication information is not present on switching node 104, the mobility management application of switching node 104 requests the authentication information from switching node 110 which has the authentication information. The authentication information is then transmitted from switching node 101 to switching node 104 and then to switching node 110. The mobility management application in switching nodes 104 and 110 then change entries 1502 and 1501 of FIG. 15 so that they are identical to entries 1302 and 1301 of FIG. 13. Once switching node 110 has the authentication information, PCS telephone 168 can complete its telephone call.

Therefore, the Applicant respectfully submits that Chavez does not teach the above-referenced features of the amended independent claims, either explicitly or inherently.

Since Chavez does not teach all the elements of the independent claims, either explicitly or inherently, an anticipation rejection cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102 are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized to charge fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(a), 1.20(b), 1.20(c), and 1.20(d) (except the Issue Fee) which may be required now or hereafter, or credit any overpayment to Deposit Account No. 50-2280.

Respectfully submitted,



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